

REMARKS

In view of the above amendments and arguments herein, Applicants believes the pending application is in condition for allowance.

I. Status of the Claims

Claims 1-18 are currently pending.

Applicants amend claims 1 and 17 in part to include elements of claim 2, and amend claim 2 to withdraw the elements included in amended independent claims 1 and 17. No new matter is added. Support for the amendments may be found, for example, with reference to page 6, lines 1 - 14 of Applicants' specification and with reference to Applicants' FIGs. 1, 4B, 5B, 8 and 9.

II. Rejection under 35 U.S.C. § 102

Claims 1-18 were rejected under 35 U.S.C. §102(b) as being anticipated by Osborn, III et al. (U.S. Patent No. 5,891,126). Applicants amend claims 1, 2 and 17 to further clarify the nature of their invention, and respectfully traverse the rejection.

In amended independent claim 1, Applicants claim:

1. An interlabial pad with a size, weight, and flexibility capable of being held between labia by pinching a part or the whole portion of the interlabial pad naturally therebetween, having a first axis that is substantially parallel to an anteroposterior axis of a wearer, and a second axis which is included in a horizontal plane when the wearer is standing and perpendicular to the first axis, comprising:

an absorbent body for absorbing body fluid, the absorbent body having one or a plurality of bending elements including a slit formed on a surface of the absorbent body with a prescribed length and depth, the bending elements being provided in a prescribed position of the absorbent body with a smaller bending strength compared to positions other than the prescribed position, in order to

make the absorbent body easy to bend into a U-shape along the first axis or an S-shape along the second axis; and

a coating material enclosing the absorbent body, and maintaining an effect of the bending elements, the coating material defining a main form of the interlabial pad, wherein a surface of the coating material is not provided with the slit-like processing, and

one of the bending elements is formed in a bending element piece in which the slit is extended, the bending element piece including a vertical bending element piece that is extended in a direction that is substantially parallel to the second axis.

(Emphasis added).

Osborn discloses an absorbent interlabial device having a body-contacting surface that is pre-moistened of pre-treated with an emollient to prevent drying of the contacted body tissue (see, e.g., abstract of Osborn). With reference to FIG. 4 of Osborn, the interlabial device 20 includes an absorbent body 22 and topsheet 42 which at least partially encloses absorbent body 22.

Applicants' claimed interlabial pad of amended independent claim 1 includes a vertical bending element piece in which a slit is extended in a direction that is substantially parallel to a horizontal axis which is perpendicular to the anteroposterior axis of the wearer. With reference to former claim 2 (which included a large portion of this claimed element), the Examiner suggests that pleats 30 of the absorbent body 22 of FIG. 4 of Osborn define a plurality of slits which may cross a centerline of the anteroposterior axis of the wearer. Applicants submit however that the vertical slits of Osborn extend (i.e. stretch to their greatest or fullest length¹) in a vertical direction that is parallel to the anteroposterior axis of the wearer, rather than in a horizontal direction that is perpendicular to the anteroposterior axis of the wearer as claimed by Applicants.

¹ See, e.g., <http://www.thefreedictionary.com/extend>.

With reference to former claim 1, the Examiner notes that Osborn discloses at Col. 15: 19 - 22 that other portions of the interlabial device may also have slits to promote easier bending of the interlabial device:

The absorbent interlabial device 20 may also be constructed with a plurality of slits in the main absorbent portion 22 so as to permit bending of the product in multiple independent directions. Such a structure allows the product to more easily respond to the stresses associated with body movements. As shown in FIG. 12, in preferred versions of any of the embodiments shown in the prior drawing figures, the upper corner portions 26A and the lower corner portions 28A of the interlabial device 20 may be rounded to reduce the forces that the product transfers to the wearer's body when the wearer sits down. The top surface of the structure may also have one or more slits or have other regions of preferred bending so that product may easily adjust to the vertical pressure against the pelvic floor, to help accommodate the non-linear surface of the pelvic floor between the clitoris and the perineum.

(Emphasis added).

Applicants submit that, while Osborn thus generally describes the use of slits in the absorbent body to permit bending, one of skill would not easily apply the disclosure of Osborn without significant experimentation to obtain an interlabial device having the bending characteristics claimed by Applicants ("easy to bend into a U-shape along the first axis or an S-shape along the second axis"). Osborn does suggest that top surface 42 may be folded around the absorbent body 22 to define a vertical bending element, and teaches that the top surface 43 may have slits in order to promote bending of the interlabial device to fit the pelvic floor of the wearer (by analogy, bending in a U-shape along the first (vertical) axis). However, Osborn does not in addition suggest that that additional slits should be provided in the absorbent body, and by providing slits in the top surface that surrounds the absorbent body, fails teach or suggest Applicants' claimed coating material that encloses the absorbent body and is not provided with the slit-like processing.

For at least the above-argued reasons, Applicants respectfully submit that amended independent claim 1 is not obvious in view of Osborn, and stands in condition for allowance. As amended independent claim 17 also claims the above-argued features, Applicants submit that amended independent claim 17 is also allowable for at least these reasons. Claims 2 - 16 and 18 respectively depend from allowable independent claims 1 and 17. For at least this reason, Applicants further submit that dependent claims 2 - 16 and 18 are also allowable.

Applicants therefore respectfully request that the rejections of claims 1 - 18 under 35 U.S.C. § 103(a) be withdrawn.

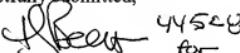
CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: April 27, 2007

Respectfully submitted,

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